



03-19-10

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UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rein *et al.*

Confirmation No.: 8812

Serial No.: 09/980,727

Group Art Unit: 1618

Filed: July 8, 2002

Examiner: Rogers, James William

For: METHOD FOR PRODUCING A WATER-INSOLUBLE
AMORPHOUS OR PARTIALLY AMORPHOUS CONTROLLED-
RELEASE MATRIX

Attorney Docket No.: 11390-009

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 19, 2009 of the Primary Examiner finally rejecting claims 1, 5, 6, 10, 16-18 and 20-32 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three month(s):
☐ was filed on
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$540.00 is: 03/19/2010 MGE BREM1 00000028 503013 09980727
☐ Required. 01 FC:1401 540.00 DA
☒ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$270.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: March 18, 2010

Laura A. Coruzzi
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(Reg. No.)

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